Fake Fathers: Pseudonymous Sources and Forgeries as the Foundation for Canonical Teaching on Women in the Middle Ages

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The vast collection of laws compiled in the twelfth century by the monk Gratian under the name of the *Concordia disconcordantium canonicum* but better known simply as the *Decretum* has had a tremendous effect on the history of Christianity. Forming one of the two volumes of the *Corpus iuris canonici*, the official text of church law, its influence lasted, at least among Roman Catholics, until a new body of church law replaced the *Corpus* in 1917.[1] The *Decretum*, even more than most medieval texts, relied on the authorities of the authors it cited. In fact, each law in the *Decretum* has only the force of the law cited since the *Decretum* itself is merely a private collection. Gratian, and later compilators, were careful to name their sources, whether popes, councils, or the great teachers of the early church. Because of this, the *Decretum* became a gold mine of sources for twelfth- and particularly thirteenth-century theologians, as well as, of course, for canonists,[2] becoming, in effect, one of the most

[1] For a discussion of the formation and influence of Gratian's work, see Anders Winroth, *The Making of Gratian's Decretum* (Cambridge: Cambridge University Press, 2000) (hereafter cited as Winroth). According to Winroth, Gratian was responsible for an early version of the collection. The collection as it now exists contains additions added soon afterwards. The status of each of the laws cited here are indicated in the notes.

[2] On the influence of the *Decretum* on later canonists, see Ida Raming, *Priesteramt der Frau: Geschenk Gottes für eine erneuerte Kirche; Erweiterte Neuauflage von 'Der Ausschluss der Frau vom priesterlichen Amt' (1973) mit ausführlicher Bibliographie (1974–2001)* (Münster: LIT, 2002); translated in *A History of Women and Ordination*, II: *The Priestly Office of Women: God's Gift to a Renewed Church*, ed. and trans. by by Bernard Cooke and Gary Macy (Lanham,

important means of transmission of the authoritative teaching of the early church.

Sometimes, however, that teaching was not authoritative. Gratian copied what he thought was the teaching of the popes, councils, and great writers of the early church, but which, in fact, was not. He was, rather, copying forgeries or works mistakenly identified as belonging to an authoritative corpus. In one or the other case, this may not have mattered. The forgery or pseudonymous work was simply one of many sources used to settle the issue at hand. Even if one dismissed the spurious authority, others sufficed to make the argument.

In one particular instance, alas, this was not the case. Many, if not most, of the sources used by the *Decretum* to prove that women could not serve at the altar, and indeed to prove that they were inferior to men, were either forgeries or the works of the unknown fourth-century writer now known as the Ambrosiaster, but attributed in the Middle Ages to either Ambrose or Augustine. The subordinate position of women assumed by canon law and by many of the high scholastic theologians rested then on the flimsiest of foundations. Augustine and Ambrose had not argued that women were inferior to men, but medieval authors thought they had.[3] The popes of antiquity had not held that women could not approach the altar, but the *Decretum* said they did.[4] It would be far too simplistic to suggest

MD: Scarecrow, and Oxford: Oxford Publicity Partnership, 2004), chaps 2–4. For the influence of the *Decretum* on later theologians see Kari Børreson, '*Imago Dei*, Privilège masculin? Interprétation augustinienne et pseudo-Augustinienne de Gen. 1, 27 and 1 Cor 11, 7', *Augustinianum*, 25 (1985), 213–34, and 'God's Image, Is Woman Excluded? Medieval Interpretation of Gen. 1, 27 and 1 Cor. 11, 7', in *Image of God and Gender Models in Judaeo-Christian Tradition*, ed. by Børresen (Oslo: Solum, 1991), pp. 208–27; John Hilary Martin, 'The Ordination of Women and the Theologians in the Middle Ages', *Escritos del Vedat*, 16 (1986), 115–77, and 'The Ordination of Women And the Theologians in the Middle Ages (II)', *Escritos del Vedat*, 18 (1988), 87–143; English translations of both articles appear in *A History Of Women and Ordination*, I: *The Ordination of Women in Medieval Context*, ed. and trans. by Bernard Cooke and Gary Macy (Lanham, MD: Scarecrow, 2002), pp. 31–160. This article is indebted to, and depends upon, the research of these scholars.

[3] For a discussion of the true position of Augustine and other early church writers on the status of women, see Børreson, '*Imago Dei*', pp. 213–34; Børreson, 'God's Image, Man's Image? Patristic Interpretation of Gen. 1, 27 and 1 Cor. 11, 7', in *Image of God*, pp. 188–207, and Prudence Allen, *The Concept of Woman*, 2 vols (Grand Rapids: Eerdmans, 1997–2002), I, 218–36.

[4] Haye van de Meer, *Women Priests in the Catholic Church: A Theological-Historical Investigation* (Philadelphia: Temple University Press, 1973), pp. 91–96, argues that the early ninth-century Bishop Haito of Basel may have been the first to take a strong stand against women ministering at the altar in the *Capitula ecclesiastica*, c. 16, in *Capitularia regum Francorum*, ed. by Alfred Boretius, MGH, Leges, 1 (1883), p. 364.

that the centuries-long subordination of women rested on simple scribal slips; nevertheless, it is worth reviewing this tragic and disastrous example of mistransmission of classic ecclesiastical sources.

A series of the sources are quoted in the *Decretum* to prove that women could not serve at the altar. *Distinctio* 23, c. 25, forbids consecrated women or nuns (*monachas*) to touch the sacred vessels or vestments or to incense around the altar.[5] The source given for this prohibition is a letter of the second-century Pope Soter.[6] In reality, the law is a forgery contained in the pseudo-Isidorian *Decretales*, a ninth-century collection of ecclesiastical laws.[7] The forgery, though, is not without some historical basis. A somewhat similar prohibition does exist in the *Life of Pope Soter* contained in the first edition of *Liber pontificalis* written in the sixth century.[8] This prohibition, however, forbids any monk (*monachus*) rather than any nun (*monacha*) from touching the sacred altar clothes or incensing the altar.[9] It appears likely that the intention was to separate the monks from clerics — a fairly typical differentiation in the early church.[10] Under the entry for Boniface I (418–22) the same law reappears, but with *monachus* has

[5] 'Vestimenta altaris et uasa sacrata mulieres tangere prohibeantur. Sacratas Deo feminas uel monachas sacra uasa uel sacratas pallas penes uos contingere, et incensum circa altaria deferre, perlatum est ad apostolicam sedem: que omnia uituperatione et reprehensione plena esse, nulli recte sapientum dubium est. Quapropter huius sanctae sedis auctoritate hec omnia uobis resecare funditus, quanto citius poteritis, censemus. Et ne pestis hec latius diuulgetur, per omnes prouincias abstergi citissime mandamus': *Corpus iuris canonici*, ed. by Emil Friedberg, 2 vols (Graz: Akademische Druck- und Verlagsanstalt, 1959), I, 86. According to Winroth, p. 199, this was an addition to Gratian's original edition.

[6] 'Gratianus. Vasa sacrata et uestimenta altaris mulieres Deo dedicatae contingere, et incensum circa altaria deferre prohibentur. Unde Sother Papa Episcopis Italiae', *dictum*: *Corpus*, I, 86. Cf. Winroth, p. 199.

[7] 'Sacratas deo feminas vel monachas sacra uasa uel sacratas pallas penes uos contingere et incensum circa altaria deferre perlatum est ad apostolicam sedem, quae omnia reprehensione et vituperatione plena esse nulli recte sapientum dubium est. Quapropter huius sanctae sedis auctoritate haec omnia vobis resecare funditus, quantotius poteritis, censemus, et ne pestis hoc latius divulgetur, per omnes provintias, abstergi citissime mandamus': *Decretales Pseudo-Isidorianae*, ed. by Paul Hinschius (Leipzig: Tauchnitz, 1863; repr. Aalen: Scientia, 1963), p. 124.

[8] On the dating of the first edition of the *Liber pontificalis*, see *Le Liber pontificalis*, ed. by Louis Duchesne, 2 vols (Paris: Thorin, 1886), I, pp. xxii–xlviii, and *New Catholic Encyclopedia*, 2nd edn, 15 vols (Detroit: Thomson/Gale, 2003), VIII, 535.

[9] 'Hic consitutit ut nullus monachus palla sacrata contingeret nec incesum poneret intra sancta ecclesia': *Liber pontificalis*, I, 59.

[10] See the comments of Duchesne, *Liber pontificalis*, I, 135 n. 3.

been changed to *monacha* with *nulla mulier* added for emphasis. The law excludes washing as well as touching the altar clothes.[11] A much more careful study of the relationship of these two laws would be necessary to determine their relationship, but it is quite possible that the later law was based either on a scribal error or a reinterpretation of the earlier law. The law in the *Decretum*, then, was a ninth-century forgery based on what may have been a fifth-century misunderstanding of an earlier decree.[12]

The same *distinctio* (c. 29) declares that no women, however learned or holy, should presume to teach men in public, nor should laity teach in the presence of clerics.[13] The stern authority quoted here is the Fourth Council of Carthage. In fact, no such council ever took place. Rather, the passage was confabulated from two separate laws contained in the pseudo-Isidorian *Decretales*.[14] At a distance, of course, one can hear the admonition of I Timothy 2. 12, 'I permit no woman to teach or to have authority over men; she is to keep silent.' The source for the pseudo-Isidorian *Decretales* was more recent; however, these laws were included in the *Statuta antiqua*,[15] a collection of laws compiled by Gennadius, the fifth-century bishop of Marseille. Nevertheless Gennadius did not seem to intend to exclude women completely from ecclesial service since he also included a law authorizing widows and other consecrated women to instruct women in preparation for their baptism.[16] Once again the *Decretum* was misled by a misuse of a phony authority. The law is repeated in c. 20 of *distinctio* 4 in the third section of

[11] 'Hic constituit ut nulla mulier vel moncha palla sacrata contingit vel lavarit, aut incesum ponerit in ecclesia, nisi minister; nec servum clericum fieri nec obnoxium curie vel cuiusliber rei': *Liber pontificalis*, I, 89.

[12] See Raming, *Priestly Office of Women*, p. 7.

[13] 'Mulieri in conuentu uiros docere non permittitur. Item ex Concilio Cartaginensi IV. Mulier, quamuis docta et sancta, uiros in conuentu docere non presumat. Laicus autem presentibus clericis (nisi ipsis rogantibus) docere non audeat': *Corpus*, I, 86. According to Winroth (p. 199), this was an addition to Gratian's original edition.

[14] 'Laicus praesentibus clericis nisi ipsis rogantibus docere non audeat. Mulier, quamuis docta et sancta, uiros in conuentu docere non presumat': *Concilium Carthaginense quartum*, in *Decretales*, ed. Hinschius (see n. 7, above), cc. 98–99, p. 306.

[15] 'Mulier, quamvis docta et sancta, viros in conuentu docere non audeat': *Concilia Galliae*, ed. by Charles Munier, CCSL, 148 (1963), c. 27, p. 172.

[16] 'Viduae uel sanctimoniales, quae ad ministerium baptizandarum mulierum eligunter, tam instrucate sint ad id officium, ut possint aperto et sano sermone docere imperitas et rusticanas mulieres, tempore quo baptizandae sunt, qualiter baptizatoris ad interrogata respondeant et qualiter accepto baptismate uiuant': *Concilia Galliae*, p. 184.

the *Decretum*, the *De consecratione*, adding that women cannot baptize. This time the law is attributed to the spurious Fifth Council of Carthage.[17] In this case, the *Decretum* hastened to add there could be exceptions in the case of necessity. The actual source here is the pseudo-Isidorian *Decretales*,[18] dependent again on the *Statuta*.[19]

De consecratione, *distinctio* 1, *capitula* 41 and 42, at least imply that women should not approach the sacred altar. *Capitulum* 41 is attributed to Pope Sixtus and declares that the sacred vessels are to be handled only *sacratis hominibus*.[20] *Capitulum* 42, supposedly from Pope Stephen, gives the same prohibition, but only for vestments.[21] The Latin words used in both laws, *sacrates homines*, here, however, can mean either 'consecrated people' or 'consecrated males'. Later interpretators of these laws clearly understood them to refer to males, and this may have been the original intent,[22] but, it turns out, neither Pope Sixtus nor Pope Stephen ever wrote these letters. Both laws, as those discussed above, are forgeries from the pseudo-Isidorian *Decretales*.[23]

[17] 'Non presumat mulier baptizare. Item ex Concilio Cartaginensi V. III. Pars. Mulier, quamuis docta et sancta, baptizare aliquos uel uiros docere in conuentu, non presumat. Gratian. Nisi necessitate cogente': *Corpus*, I, 1367. According to Winroth, *De consecratione* in its entirety was an addition to the original edition of the *Decretum*.

[18] 'Mulier baptizare non praesumat': *Concilium Carthaginense quartum*, c. 100, p. 306.

[19] See n. 13, above, and 'Mulier baptizare non praesumat': *Concilia Galliae*, c. 41, p. 173.

[20] 'Sacra uasa non nisi a sacratis contrectentur hominibus. Item Sixtus. In sancta apostolica sede statutum est, ut sacra uasa non ab aliis, quam a sacratis Dominoque dicatis contrectentur hominibus. Ne pro talibus presumptionibus iratus Dominus plagam inponat populo suo, et hi etiam, qui non peccauerunt, pereant quia perit iustus sepissime pro inpio': *Corpus*, I, 1304–05.

[21] 'Non nisi a sacratis hominibus uestimenta sacra ferentur. Item Stephanus Episcopus familiari amico Hilario. Vestimenta ecclesiae quibus Domino ministratur, et sacrata debent esse et honesta, quibus in aliis usibus non debent frui, quam ecclesiasticis et Deo dignis offitiis; que nec ab aliis debent contingi aut offerri, nisi a sacratis hominibus, ne ultio, que Baltasar regem percussit, super hoc transgredientes ueniat, et corruere eos faciat ad ima': *Corpus*, I, 1305.

[22] Raming, *Priestly Office*, pp. 8–9. The text for c. 41 as contained in the *Decretales* clearly refers to men. See n. 23, below.

[23] 'Cognoscat vestra sapientia, karissimi fratres, quia in hec sancta apostolica sede a nobis et reliquis episcopis ceterisque domini sacerdotibus statutum est, ut sacra vasa non ab aliis quam a sacratis dominoque dicatis contrectentur hominibus. Indignum enim valde est ut sacra domini vasa, quaecunque sint, humanis usibus serviant, aut ab aliis quam a domino famulantibus eique dicatis tractentur viris, ne pro talibus praesumptionibus iratus dominus plagam imponant populo suo, et hi qui etiam non peccarrerunt mala patiantur aut pereant, quia perit iustus sepissime pro impio': *Epistola Sixti papae universis ecclesiis directa*, in *Decretales*, ed. Hinschius (see n. 7, above),

The most influential statement concerning the role of women in ministry came from Gratian himself. In a *dictum* on the question of whether a woman can give testimony against a priest, Gratian answers in the negative. Supported by a letter of Pope Fabian,[24] Gratian argues that only a person holding the same order, or capable of holding such an order, can accuse or testify against a priest. Gratian continues, 'A woman cannot be promoted either to the priesthood or even to the diaconate and for this reason they may not raise a complaint or give testimony against priests in court.' Gratian quickly dismisses the objection that women were judges in the Old Testament by explaining, 'In the old law many things were permitted that today have been abolished by the perfection of grace.' Paraphrasing I Corinthians 11. 7–10, Gratian states that women must be subject to men, a status signified by women covering their heads.[25] The master then adds support

p. 108. 'Vestimenta vero aecclesiastica quibus domino ministratur, et sacrata debent et honesta. Quibus aliis usibus nemo debet frui quam aecclesiasticis in deo dignis officiis. Que nec ab aliis debent contingi aut ferri, nisi a sacratis hominibus, ne ultio que Balthasar percussit super haec transgredientibus et talia presumentibus veniat divina et corruere eos fatiat ad ima': *Epistola decretalis Stephani papae Hilario episcopo directa*, ibid., p. 183.

[24] The *Decretum* includes the letter as *causa* 2, *questio* 7, *capitulum* 6: 'Nec clerici in accusatione laicorum, nec laici in accusatione clericorum sunt recipiendi. Item Fabianus Episcopus urbis Romae cunctis fidelibus. Sicut sacerdotes uel reliqui clerici a secularium laicorum excluduntur accusatione, ita illi ab istorum sunt excludendi et alienandi criminatione, et sicut illi ab istis, ita et isti ab illis non recipiantur, quoniam sicut Domini sacerdotum segregata debet esse conuersatio ab eorum conuersatione, ita et litigatio, quia seruum Dei non oportet litigare' (*Corpus*, I, 484). According to Winroth, p. 207, this law was an addition to the original edition of the *Decretum*.

[25] 'Gratianus. Tertio queritur, an ex mulieris confessione iste sit condempnandus? In quo primum uidendum est, an mulier sacerdotem accusare ualeat? Quod sacris canonibus omnino uidetur esse prohibitum. Generaliter enim statutum est ex decretis Fabiani Papae, ut sacerdotes Domini non accusent, nec in eos testificentur, qui sui ordinis non sunt, nec esse possunt. Mulieres autem non solum ad sacerdotium, sed nec etiam ad diaconatum prouehi possunt, unde nec sacerdotes accusare, nec in eos testificari ualent. Legibus quoque cautum est, ut ob uerecundiam sui sexus mulier apud pretorem pro alio non intercedat, nisi forte suas uel suorum iniurias persequi maluerit. Hec autem, que nec suas, nec suorum iniurias persequitur, ad hanc accusationem admitti non debet. §. 1. Econtra qui iudicis personam gerere ualet ab accusatoris offitio non remouetur. Mulieres autem in ueteri testamento populum iudicasse, quicumque librum Iudicum legerit ignorare non poterit. Non itaque ab accusatione remoueri possunt quas etiam iudicis personam frequenter gessisse constat, nec ulla serie diuinarum scripturarum ab accusatione prohibentur. §. 2. His ita respondetur: In ueteri lege multa permittebantur, que hodie perfectione gratiae abolita sunt. Cum enim mulieribus permitteretur populum iudicare, hodie pro peccato, quod mulier induxit, ab Apostolo eis indicitur uerecundari, uiro subditas esse, in signum subiectionis uelatum caput habere. Que ergo his omnibus uiro subiecta ostenditur, cui pro alio postulare non conce-

to his argument by quoting Roman law to the effect that women cannot give testimony in certain court cases.[26]

Once again the determining authority, the letter of Pope Fabian, came not from the hand of this or any pontiff, but was forged by the ingenious author of the pseudo-Isidorian *Decretales*.[27] The ruling that priests could not be accused by, or witnessed against, by anyone of lower rank was, in effect, only the opinion of the compilers of the *Decretales*. The pronouncement of Gratian that women could not aspire to the diaconate or priesthood was his own opinion and one that was much disputed in the mid-twelfth century.[28] Yet, combined with the *dictum* of Gratian, it helped to effectively exclude women from the ranks of the clergy.

The opinion of Gratian that the apostle Paul taught the superiority of women over men finds continued repetition in the rest of the *Decretum*. In a discussion of adultery, Gratian attempted to reconcile church teaching with the opinion of Ambrose in his commentary on I Corinthians that a woman whose husband commits adultery must either remain unmarried or be reconciled while a man whose wife commits adultery may remarry.[29] Surely, Gratian suggested, this passage must

ditur, ad accusationem admittenda non uidetur': *Corpus*, I, 750–51. According to Winroth, this passage was part of Gratian's original edition of the *Decretum*.

[26] *Decretum*, c. 15, q. 3, cc. 1–3. On the origin of these laws, see Raming, *Priestly Office*, pp. 35–40. According to Winroth, p. 214, these laws were part of Gratian's original edition of the *Decretum*.

[27] 'Quoniari sicut sacerdotes vel reliqui clerici a secularium laicorum excluduntur accusatione, ita illi ab historum sunt excludendi et alienandi criminatione; et sicut isti ab illis, ita et illi ab istis non recipiantur, quoniam sicut domini sacerdotum segregata debet esse conversatio ab eorum, ita et litigatio, quia servum dei non oportet litigare': *Fabiani decreta, Epistola cuius supra ad omnes orientales episcopas*, in *Decretales*, ed. Hinschius (see n. 7, above), p. 162.

[28] For a thorough discussion of the twelfth-century dispute over the ordination of women, see Gary Macy, *The Hidden History of the Ordination of Women: Female Clergy in the Medieval West* (Oxford: Oxford University Press, 2008).

[29] 'Adulterium secundum in penis obtinet locum. Item ex epistola Clementis. Quid in omnibus peccatis est adulterio grauius? Secundum namque in penis obtinet locum, quem quidem primum illi habent, qui aberrant a Deo, etiamsi sobrie uixerint. Gratian. His auctoritatibus euidentissime monstratur, quod quicumque causa fornicationis uxorem suam dimiserit, illa uiuente aliam ducere non poterit, et, si duxerit, reus adulterii erit. IV. Pars. §. 1. His ita respondetur. He auctoritates de eis locuntur, quorum continentiam carnalis infirmitas non inpedit, uel de his, qui, prestantes causam discidii, aliorum coniunctione se reddiderunt indignos. Unde Ambrosius super epistolam Pauli ad Chorinthios: "Uxor a uiro non discedat, nisi causa fornicationis; quod si discesserit, aut maneat innupta, aut reconcilietur uiro suo; et uir similiter non dimittat uxorem". Ideo non subdit de uiro quod de uxore premisit, quia uiro licet ducere aliam': *Corpus*, c. 32, q. 7, cc. 16–17 (I, 1144). According to Winroth, p. 224, this section was part of Gratian's original edition of the *Decretum*.

have been inserted into Ambrose's text by falsifiers, or possibly Ambrose was only referring to cases of incest.[30]

Gratian need not have struggled so to reconcile the long-standing teaching of the church on the indissoluability of marriage with the authority of the great church teacher, Ambrose. The commentary on Paul used by Gratian was actually written by an anonymous author now know by scholars as the Ambrosiaster. The quotation on the subject of adultery used by Gratian is a paraphrase of Ambrosiaster's commentary on I Corinthians 7. 11. Here, the author of the commentary makes it clear that women are subject to more restrictions than man, since, as Paul says in I Corinthians 11. 3, 'A man is the head of a woman.'[31]

In *causa* 33, *questio* 5, Gratian takes up the question of whether a women who had taken a vow of self-denial for religious reasons (for example, fasting) with the permission of her husband could be forced to revoke that vow if her husband should later change his mind. Gratian decides that the husband could revoke his permission:

> And so it is most clearly evident that a man is so much the head of a women that she is allowed to offer herself to God by no vow of abstinence or by conversion to the religious life without his permission; even if she should bind herself with his permission, it would not be allowed for her to fulfill her vow, if the man should change and revoke his permission.

[30] 'Gratian. Sed illud Ambrosii a falsatoribus dicitur insertum. Illud Gregorii sacris canonibus, imo euangelicae et apostolicae doctrinae penitus inuenitur aduersum. Quidam uero, sententiam Ambrosii seruare cupientes, non de qualibet fornicatione illud arbitrantur intelligi, ut ob quamlibet fornicationem uir licite dimittat uxorem, et uiuente dimissa aliam ducat, sed de incestuosa tantum fornicatione intelligitur, cum uxor uidelicet alicuius, patri et filio, fratri uel auunculo uiri sui, uel alicui similium se constuprandam publice tradiderit': *Corpus*, I, 1145. According to Winroth, p. 224, this passage was part of Gratian's original edition of the *Decretum*.

[31] 'Uxorem a viro non discedere; quodsi discesserit, manere innupta. Hoc apostoli consilium est, ut si descesserit propter malam conversationem viri, iam innuupta maneat. Aut viro reconciliari. quodsi continere se, inquit, non potest, quia pugnare non vult contra carnem, viro reconcilietur. non enim permittitur mulieri, ut nubat, si virum suum causa fornicationis dimiserit aut apostasiae aut si [inlicite] inpellente lascivia usum quaeret uxoris, quia inferior non omnino hac lege utitur qua potior. Si tamen apostatet vir aut usuam quaerat uxoris invertere, nec alii postest nubere mulier nec reverit ad illum. Et vir ne uxorem dimittat, virum uxorem non dimittere. Subauditur autem: excepta causa fornicationis. Et ideo non suiecit sicut de muliere dicens: quodsi discesserit, manere sic, quia viro licet ducere uxorem, si dimiserit [uxorem] peccantem, quia non ita lege contringitur vir sicut mulier; caput enim mulieris vir est': *Ambrosiastri qui dicitur Commentarius in epistulas Paulinus*, ed. by Heinrich Vogels, 3 vols, CSEL, 71 (1966–69), II, 74–75. On the identity and dating of the Ambrosiaster and his work, see *New Catholic Encyclopedia*, I, 346–47.

Gratian goes on to offer ten quotations from Augustine, Jerome, and Ambrose to prove the superiority of men over women. Seven of the quotations are genuine, but three are not. In *causa* 13, Gratian quotes from the *Questions Concerning the Old and New Testament* attributed to Augustine the opinion that while man is made in the image of God, woman is not.[32] The passage misquotes Paul in I Corinthians to support this view: 'A man ought not to cover his head because he is the image and glory of God; a woman though is covered because she is not the glory of image of God.'[33]

Augustine, however, did not write the *Questions Concerning the Old and New Testament*, nor was this Augustine's opinion on the relationship of men and women.[34] The *Questions* was actually written by the Ambrosiaster, the same pseudonymous author whose commentary of Paul was attributed to Ambrose.[35] The passage quoted by Gratian occurs in Chapter 106, *On the Book of Genesis*, where the Ambrosiaster compares the creation of woman from man as the same as the creation of man from God. A woman is subservient to a man because she comes from him, just as a man is subservient to God because God created man.[36]

[32] 'Vir est caput mulieris. Idem in Questionibus Veteris et Noui Testamenti. Hec imago Dei est in homine, ut unus factus sit ex quo ceteri oriantur, habens inperium Dei, quasi uicarius eius, quia unius Dei habet imaginem, ideoque mulier non est facta ad Dei imaginem. Sic etenim dicit: "Et fecit Deus hominem; ad imaginem Dei fecit illum". Hinc etiam Apostolus: "Vir quidem", ait, "non debet uelare caput, quia imago et gloria Dei est; mulier ideo uelat, quia non est gloria aut imago Dei"': *Corpus*, I, 1254. According to Winroth, p. 226, this passage was part of Gratian's original edition of the *Decretum*.

[33] Paul actually wrote 'Vir quidem non debet velare caput quoniam imago et gloria est Dei mulier autem gloria viri est [For a man ought not to have his head veiled, since he is the image and reflection of God; but woman is the reflection of man]': I Corinthians 11. 7.

[34] See n. 3, above.

[35] See n. 31, above.

[36] 'Quid sit autem 'ad imaginem et similitudinem, quamvis alibi dixerimus, hic tamen locus et causa postulat ut iterum dicamus. Patris enim ad filium uerba sunt dicentis: faciamus hominem ad imaginem et similitudinem nostram, quamquam in omni opere utriusque intellegatur persona, dicentis et obaudientis. Haec ergo imago dei est in homine, ut unus factus sit quasi dominus, ex quo ceteri orirentur, habens imperium, dei quasi uicarius eius, quia omnis rex dei habet imaginem. Ideoques mulier non est facta ad dei imaginem. Sic etenim dicit: et fecit deus hominem, ad imaginem dei fecit eum. Hince est unde apostolus: uir quidem ait, non debet uelare caput, quia imago et gloria die est; mulier autem ideo uelat, quia non est gloria aut imago dei. Similitudo autem die haec est in homine, ut, sicut ex patre filius, similiter ex homine mulier, in hoc plane dispar, quia haec facta, ille uero natus est': *Pseudo-Augustini Quaestiones veteris et novi testamenti CXXVII*, ed. by Alexander Souter, CSEL, 50 (1908), pp. 243–44.

A second quotation from the *Questions* appears in c. 17 of *causa* 33, this time attributed to Ambrose. The teaching clearly outlines the subordinate status of women: '[God] established women to be subject to the rule of men, and to have no authority. She is not able to teach, nor to be a witness, to give testimony, nor to judge.'[37] The selection is part of a longer passage in which the Ambrosiaster establishes that men alone are the dominant form of humanity and that it would be absurd to think of women sharing this authority.[38]

A final quotation attributed to Ambrose, but actually from the Ambrosiaster's commentary on I Corinthians, is recorded in c. 19. Here the subservient status of women is clearly linked to her role in the fall of humankind:

> A woman ought to cover her head because she is not an image of God. But as she is shown to be subservient and because the transgression began through her, she ought to have this sign in church out of reverence for the bishop; she should not have her head free, but covered by a veil; she does not have the power of speaking because the bishop holds the person of Christ. Therefore, as though before Christ the judge, she is thus before the bishop because he is the vicar of the Lord; she ought to be seen to be subservient because of original sin.[39]

The passage here is nearly identical to the original commentary by the Ambrosiater on I Corinthians 11. 8–10. Slight variations in the original identify 'angels'

[37] 'Nulla est mulieris potestas, sed in omnibus uiri dominio subsit. Item Ambrosius in libro questionum Veteris Testamenti. Mulierem constat subiectam dominio uiri esse, et nullam auctoritatem habere; nec docere potest, nec testis esse, neque fidem dare, nec iudicare': *Corpus*, I, 1255. According to Winroth, p. 224, this passage was part of Gratian's original edition of the *Decretum*.

[38] 'Aliquibus tamen uidetur, quia in dominatione imago dei factus est homo, quia dixit: et dominetur piscium maris et uolatilium caeli et totius terrae, cum non solum viro, sed et mulieri ista cernantur subiecta, quam constat deir imaginem non habet. Quod quidem duplici modo caret ratione; per hoc enim neque ad filium dixisse deus adseritur: faciamus hominem ad imaginem et similitudinem nostram, sed ad dominationes caelestes, quas apostolus memorat, si imaginem dei homo in dominatione habet, et mulieri datur, ut et ipsa imago dei sit, quod absurdum est, quo modo enim potest de muliere dici, quia imago dei est, quam constat dominio uiri suiectam et nullam auctoritatem habere? Nec docere enim potest nec testis ese neque fidem dicere nec iudicare: quanto magis imperare?': *De imagine*, in *Quaestiones*, ed. Souter (see n. 36, above), c. 45, pp. 82–83.

[39] 'Idem super primam epistolam ad Chorinthios. Mulier debet uelare caput, quia non est imago Dei. Sed ut ostendatur subiecta, et quia preuaricatio per illam inchoata est, hoc signum debet habere, in ecclesia propter reuerentiam episcopalem non habeat caput liberum, sed uelamine tectum, non habeat potestatem loquendi quia episcopus personam habet Christi. Quasi ergo ante iudicem Christum, ita ante episcopum sit, quia uicarius Domini est, propter peccatum originale debet subiecta uideri': *Corpus*, I, 1255–56. According to Winroth, p. 224, this passage was part of Gratian's original edition of the *Decretum*.

mentioned by Paul as the bishops and make even clearer the responsibility of women for original sin.[40]

Not all of the texts cited in the *Decretum* to prove the inferiority of women were spurious, of course. Still, according to the survey of these passages by Ida Raming, a great number of them were; and they were very influential. Particularly influential were the commentaries on the Bible by the Ambrosiaster.[41] As Kari Børresen has shown, the teaching of the Ambrosiaster was particularly strident in its insistence on the subservience of women.[42] The authentic teaching of Augustine espoused a teaching that emphasized the spiritual equality of men and women.[43] As Børresen has demonstrated, this clash of positions, supposedly within the same author, caused some concern to early scriptural commentators.[44]

One particular passage from the Ambrosiaster, namely his commentary on I Timothy, had a powerful influence on twelfth- and thirteenth-century theologians. Ambrosiaster, unlike most early commentators, argued that Paul in fact never intended to speak of any ministry for women in either his Letter to Romans, where Paul mentions the 'deaconess, Phoebe', or in the First Letter to Timothy, where Paul outlines the requirements for office in the church, including that of deaconesses.[45] John Hilary Martin summarizes Ambrosiaster's position succinctly:

[40] 'Potestatem velamen significavit; angelos episcopos dicit, sicut docetur in Apocalypsi Iohannis. Et quia utique homines sunt, quod non corriperent plebem arguuntur, et quod rectum in illis est laudatur. Mulier ergo idcirco debet velare caput, quia non est imago die, sed ut ostendatur subiecta. Et quia praevaricatio per illam inchoata est, hoc signum debet habere, ut in ecclesia propter reverentiam sacerdotalem (episcoplem) non habeat caput liberum, sed velamine tectum, nec potestatem loquendi, quia sacerdos (episcopus) personam habet Christi. Quasi ergo ante iudicem sic ante sacerdotum (episcopum), quia vicarius domini est, propter reatus originem subiecta debet videri': *Ambrosiastri qui dicitur Commentarius*, III, 122–23.

[41] Raming, *Priestly Office*, pp. 24–34.

[42] Børresen, '*Imago Dei*', pp. 215–18, and 'God's Image, Man's Image', pp. 192–94.

[43] Børresen, '*Imago Dei*', pp. 219–23, and 'God's Image, Man's Image', pp. 199–205.

[44] Børresen, '*Imago Dei*', pp. 223–32, and 'God's Image, Is Woman Excluded', pp. 209–14.

[45] Romans 16. 1–2: 'I commend to you our sister Phoebe, a deacon of the church at Cenchreae, so that you may welcome her in the Lord as is fitting for the saints, and help her in whatever she may require from you, for she has been a benefactor of many and of myself as well.' I Timothy 4. 8–13: 'Deacons likewise must be serious, not double-tongued, not indulging in much wine, not greedy for money; they must hold fast to the mystery of the faith with a clear conscience. And let them first be tested; then, if they prove themselves blameless, let them serve as deacons. Women likewise must be serious, not slanderers, but temperate, faithful in all things. Let deacons be married only once, and let them manage their children and their households well; for those who serve well as deacons gain a good standing for themselves and great boldness in the faith that is in Christ Jesus.'

> Paul does not intend to say [in I Timothy] that 'women likewise are *deacons*', Ambrosiaster insists, but rather that they likewise should be *respectable*. What Paul wants is that the people should be holy just as the clergy are (the bishops and the deacons) and that this level of holiness should even be found among women who might seem to be of little importance. Seizing on the words of Paul, he continues, the Cataphrygians (a sect of the second century Montanist heresy) tried to twist these words out of context to imply that Paul talked about the deaconesses as well as the deacons at the church. For Ambrosiaster, it is clear that Paul should not be interpreted in this way since he had already commanded women 'to keep silence in the church' in the previous passage. Besides, the Cataphrygians were tendentious in proposing their view since they knew very well that the Apostles had chosen seven male deacons even though there were holy women in their company.[46]

The first of the medieval commentaries to use Ambrosiaster in this manner was that attributed to Bruno the Carthusian dating from the early twelfth century. The commentator insists that Paul was not speaking of a separate order of deaconesses in I Timothy, but was rather, inserting a section on the wives of deacons in the middle of a discussion of deacons.[47] With a bow to an older tradition, however, he adds that perhaps deaconesses are intended here, but the term *deaconess* refers to nuns.[48]

A much more influential commentary on Paul was produced at the School of Laon in the early twelfth century, quite possibly by the two great masters of that School, Anselm and Ralph of Laon.[49] This commentary was known as the

[46] John Hilary Martin, 'The Ordination Of Women', pp. 133–34 (trans. by Cooke and Macy, *History of Women*, I, 45). Cf. Ambrosiaster: 'sanci estote, quia et ego sanctus sum, ideoque etiam mulieres, quae inferiores videntur, since crimine vult esse, ut munda sit ecclesia Dei. Sed Catafrygae occasionem errores captantes propter quod post diaconos mulieres adloquitur, etiam ipsas diaconissas [diaconas] debere ordinari vana presumptione defendunt, cum sciant apostolos septem diaconos elegisse. Numquid nulla mulier tunc idonea inventa est, cum inter undecim apostolos sanctas mulieres fuisse legimus?': *Ambrosiastri qui dicitur Commentarius*, III, 268.

[47] 'Hic inserit praeceptum de mulieribus ante et post agens de diaconibus, quod intersertum nisi ad diaconos aliquomodo pertineat, inconveniens hic ordo videtur. Ut autem quod ait de mulieribus convenienter insertum judicetur, sic exponimus: *Mulieres* quae nuptae fuerint his qui in diaconatum promoventur, *similiter* oportet esse *pudicas*, id est necesse est profiteri castitatem, sicut viros earum': *Expositio in epistolas Pauli, Epistola I ad Timotheum*, in PL, CLIII, c. 3, col. 442C. On the pseudo-Bruno gloss, see Gary Macy, 'Some Examples of the Influence of Exegesis on the Theology of the Eucharist in the Eleventh and Twelfth Centuries', *Recherches de théologie ancienne et médiévale*, 52 (1985), 64–77.

[48] 'Vel si placet mulieres diaconissae, scilicet moniales, similiter oporteat esse pudicas, etc., sicut dicta sunt': *Expositio in epistolas Pauli*, col. 442D.

[49] 'The known facts concerning the authorship of the *Gloss* are as follows. The central figure is Anselm of Laon.[...] Anselm was certainly responsible for the *Gloss* on St. Paul and the Psalter,

Glossa ordinaria (usual commentary) on Scripture since it was so frequently used throughout the Middle Ages. The *Glossa ordinaria* on the Letters of Paul even more clearly ruled out the possibility of a female ministry. First the *Glossa* notes the usual reservation, 'Now he [Paul] says that the office of teaching is suitable for only males alone.'[50] One early exemplar of the *Glossa* continues, however, 'because he does not say that women ought to be ordained into the offices of the church, but he says that the wives of those ordained, that is of deacons and priests, [ought] to be chaste'.[51] Following Ambrosiaster, some versions of the *Glossa* denied that I Timothy gave any reference to deaconesses asserting that only the Cataphyrigian heretics would so read the text.[52]

In effect, the commentary on Paul in the *Glossa* would exclude women from the possibility of ordination to the deaconate. The teachings from the School at Laon were widely copied, and according to Marcia Colish, 'The School of Laon plays a critical role in the development of the sacramental understanding of the priesthood in the twelfth century.'[53] In the early decades of the twelfth century a theology was developing that would completely remove women from any ordained ministry. The teaching of the Ambrosiaster, especially as related by the School of Laon, further argued that Scripture contains no references to women deaconesses and only heretics in fact allowed them.

This teaching took its most abrupt and dogmatic expression, as mentioned above, in Gratian's *Decretum*, in *causa* 15, *questio* 3: 'Women are not able to advance

probably for that on the Fourth Gospel': Beryl Smalley, *The Study of the Bible in the Middle Ages*, 2nd edn (Oxford: Blackwell, 1983), p. 60.

[50] 'Nunc dicit quod docendi officium solis viris conveniat et quales ad illud debeant ordinari determinat': *Biblia Latina cum Glossa Ordinaria: Facsimile Reprint of the Editio Princeps Adolph Rusch of Strassburg 1480/81*, 4 vols (Turnhout: Brepols, 1992), IV, 407. Mark Zier kindly checked this passage against the microfilm of six early manuscripts from Paris, Bibliothèque nationale de France (BnF). All were probably written before 1200. All six contain the passage in question. The references are: MS lat. 310, fol. 97^{r}; MS lat. 312, fol. 145^{r}; MS lat. 313, fol. 143^{r}; MS lat. 314, fol. 124^{r}; MS lat. 654, fol. 158^{r}; MS lat. 14785, fol. 97^{r}.

[51] 'Quia non dicit mulieres debere hordinari in officiis ecclesiasticis, sed dicit mulieres ordinatorum, idest diaconorum et sacerdotum esse pudicas non dicit sobrias, etc': BnF, MS lat. 654, fol. 158^{r}. Again, I wish to thank Mark Zier for this citation.

[52] 'Mulieres similiter Ambro. Cum sanctum precipit creari episcopum et diaconum plebem non disparare vult esse etiam infimo gradu mulierum ut munda sit ecclesia sed occasione horum verborum cathaphrige dicunt diaconas debere ordinari quod est contra auctoritatem': *Biblia Latina*, IV, 408, col. 2 (a passage not found in the above-cited sources).

[53] Marcia L. Colish, *Peter Lombard*, ed. by A. J. Vanderjagt, Brill's Studies in Intellectual History, 41, 2 vols (Leiden: Brill, 1994), II, 618.

to the priesthood or even to the diaconate, therefore they are capable of neither accusing priests nor of testifying against them.'[54] Here was a clear and unambiguous statement that women could not be ordained either as priests or deacons. Ida Raming has even suggested that this passage in the *Decretum* was influenced by the commentary of the Ambrosiaster on I Timothy.[55]

Many factors were involved in the gradual exclusion of and growing subservience of women within religious life in the twelfth and thirteenth centuries, but at least one factor was simple error. The transmission of inauthentic tradition through forgery and misidentification is as much a part of the story of the appropriation (and misappropriation) of classical sources as is the transmission of the authentic tradition. One of the most disastrous instances of this mistransmission was that of the teaching about women carried by the *Decretum*.[56]

[54] See note 25, above.

[55] Raming, *Priestly Office*, p. 24.

[56] For a fascinating analysis of the effect of the medieval teaching about women on contemporary American culture, see Margaret Miles, 'Violence against Women in the Historical Christian West and in North American Secular Culture: The Visual and Textual Evidence', in *Shaping New Vision: Gender and Values in American Culture*, ed. by Clarissa Atkinson, Constance Buchanan, and Margaret Miles, Studies in Religion, 5 (Ann Arbor: UMI Research, 1987), pp. 11–29.